

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

BFJ HOLDINGS, INC. D/B/A CAPRI  
JEWELERS,

Plaintiff,

V.

Case No. 3:12cv681

DIAMONDS DIRECT USA, INC.,

and

ITAY BERGER,

Defendants.

MOTION FOR SETTLEMENT CONFERENCE REFERRAL

BFJ HOLDINGS, INC. D/B/A CAPRI JEWELERS, pursuant to E.D. Va. Loc. Civ. R. 83.6, moves this court to refer this matter to Magistrate Judge Novak for a settlement conference on these grounds:

1. This is a cybersquatting action involving the wrongful use of Capri Jewelers internet domain names.

2. In its complaint, Capri Jewelers requests an order enjoining the defendants for further wrongful use of sixty-six (66) domain names and an order for statutory damages and attorneys' fees. (Doc. No. 1, ¶¶ 26, 27.)

3. This action is related to a pending trademark action, *Diamonds Direct USA, Inc., et al. v. BFJ Holdings, Inc. D/B/A Capri Jewelers*, Case No. 3:12-cv-00303-HEH. That action has been referred to Judge Novak for a settlement conference.

4. Because this action involves common parties and somewhat related issues, and because the purpose of settlement is to end all matters of controversy between the parties, this

action should also be discussed at the same settlement conference.

For these reasons, Capri Jewelers respectfully requests that this court enter an order referring this matter to Magistrate Judge Novak for a settlement conference.

BFJ HOLDINGS, INC. D/B/A CAPRI  
JEWELERS

By Counsel

/s/ Sandra M. Holleran  
Christopher C. Spencer (VSB No. 21878)  
Direct Dial: 804.285.5220  
Email: cspencer@ohaganspencer.com  
Sandra M. Holleran (VSB No. 28808)  
Direct Dial: 804.285.5222  
Email: sholleran@ohaganspencer.com  
O'Hagan Spencer LLP  
6806 Paragon Place, Suite 200  
Richmond, VA 23230  
Telephone: 804.285.5200  
Facsimile: 804.285.5210  
*Counsel for Plaintiff*  
*BFJ Holdings, Inc. d/b/a Capri Jewelers*

Ian D. Titley (VSB No. 27531)  
Schroder Fidlow, PLC  
1901 E. Franklin Street, Suite 107  
Richmond, VA 23233  
Telephone: 804.364.0405  
Facsimile: 800.906.7542  
Email: idt@schroderfidlow.com  
*Counsel for Plaintiff*  
*BFJ Holdings, Inc. d/b/a Capri Jewelers*

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of September, 2012, the foregoing was served by electronic mail and U.S. Mail on the following:

John R. Owen, Esq. (VSB No. 39560)

Julie S. Palmer, Esq. (VSB No. 65800)  
Harman, Claytor, Corrigan & Wellman  
P.O. Box 70280  
Richmond, Virginia 23255  
Telephone: 804.747.5200  
Facsimile: 804.747.6085  
jowen@hcww.com  
jpalmer@hcww.com  
*Counsel for Defendants*  
*Diamonds Direct USA, Inc. and Itay Berger*

Raboteau T. Wilder, Esq.  
(not admitted in Virginia)  
Jackson R. Price, Esq.  
(not admitted in Virginia)  
Womble Carlyle Sandridge & Rice, PLLC  
3500 One Wachovia Center  
301 South College Street  
Charlotte, NC 28202  
Telephone: 704.331.4900  
Facsimile: 704. 338.7855  
rwilder@wcsr.com  
japrice@wcsr.com  
*Counsel for Defendants*  
*Diamonds Direct USA, Inc. and Itay Berger*

/s/  
Sandra M. Holleran (VSB No. 28808)  
Direct Dial: 804.285.5222  
Email: sholleran@ohaganspencer.com  
O'Hagan Spencer LLP  
6806 Paragon Place, Suite 200  
Richmond, Virginia 23230  
Telephone: 804.285.5200  
Facsimile: 804.285.5210  
*Counsel for Plaintiff BFJ Holdings, Inc. D/B/A  
Capri Jewelers*